

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	STOUFFER ET AL.	)	EXAMINER:	R.S. Dildine,
		)		Jr.
SERIAL NUMBER:	10/719,213	)	ART UNIT:	2133
		)		
FILING DATE:	20 NOVEMBER 2003	)		
		)		
TITLE:	RECOVERING TRACK	)		
	FORMAT INFORMATION	)		
	MISMATCH ERRORS USING	)		
	DATA RECONSTRUCTION	)		

Mail Stop:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT AND RESPONSE**

Dear Sir:

The Applicant respectfully requests entry of the enclosed Replacement Drawing Sheet 4 and Replacement Specification, including an amendment to paragraph [0030], for the above referenced application and consideration of the following remarks.

**REMARKS**

In the non-final Office Action mailed July 13, 2006, Fig. 5 was objected to due to a typographical error, the disclosure was objected to due to an informality, claims 19-26 were rejected under §101, and claims 1-18 were allowed.

Fig. 5 has been corrected and a Replacement Sheet, labeled as such, is attached.

The Applicant respectfully disagrees with the rejection under §101 and asserts that propagated signals may indeed be patentable subject matter. The Applicant notes that all of the references cited in support of the rejection are old, some very old, and have been superceded. However, in order to advance prosecution of this application, paragraph [0030] has been amended.

The paragraph numbering of the specification has been corrected. As a result of the extensive changes made to the specification, a Replacement Specification is enclosed, which also includes the revision to paragraph [0030] and other minor changes.

The prior art made of record and not relied on has been reviewed and is not believed to be other than background material.

The application is believed to be in condition for allowance. The Examiner is encouraged to contact the undersigned by telephone if a conversation would be beneficial to completing prosecution of this application.

No fee is believed to be associated with the filing of this document. The undersigned hereby authorizes the Commissioner to charge any deficiency of fees submitted herewith to deposit account number 09-0449.

Respectfully Submitted,



Dan Shifrin, #34,473  
Law Office of Dan Shifrin, PC  
14081 West 59<sup>th</sup> Ave.  
Arvada, Colorado 80004  
303-403-4510  
303-785-8795 (FAX)

cc: IBM - Tucson